

UNITED STATES DISTRICT COURT

for the

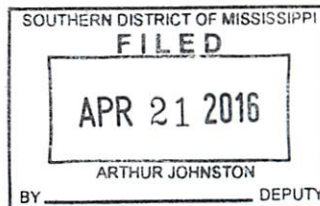
Southern District of Mississippi

United States of America)

v.)

Russell Gene Clack)

Case No. 1:16mj32-JCG)

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 19 2016 in the county of Hancock in the
Southern District of MS, Southern Division, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(g)(1)

Felon in Possession of a Firearm.

This criminal complaint is based on these facts:

See affidavit attached hereto and incorporated herein

☒ Continued on the attached sheet.

A handwritten signature in blue ink, appearing to read "B. Taylor".

Complainant's signature

Benjamin Taylor Special Agent/DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 04/21/2106City and state: Gulfport, MS

A handwritten signature in blue ink, appearing to read "John C. Gargiulo".

Judge's signature

John C. Gargiulo, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

STATE OF MISSISSIPPI

COUNTY OF HARRISON

SOUTHERN DISTRICT OF MISSISSIPPI

Introduction

1. I, Benjamin M. Taylor, being first duly sworn, hereby depose and say that:

I, Special Agent Benjamin Taylor, am a duly sworn Special Agent with the U.S. Department of Homeland Security, Homeland Security Investigations (HSI). I am currently assigned to the Drug Enforcement Administration (DEA) High Intensity Drug Trafficking Area (HIDTA) Task Force, which is comprised of multiple federal, state, and local agencies. I have been specifically trained in the investigation and elements of federal crimes at the Federal Law Enforcement Training Center at Glynco, Georgia. I hold a Bachelor of Science degree in Criminal Justice and Political Science from the University of Southern Mississippi. I am also a graduate of the University of Southern Mississippi's Southern Regional Public Safety Institute where I received Law Enforcement Officer Certification by the Mississippi Board of Law Enforcement Officer Standards and Training. I have approximately fourteen years of experience as a law enforcement officer.

Probable Cause Factual Basis

2. On February 03, 2016, the Gulfport Resident Office, utilizing an undercover agent, conducted a buy/walk operation of two handguns from Russell Gene CLACK at his residence located at 229 Sycamore Street in Bay St. Louis, Mississippi. During a phone conversation prior to the meeting, CLACK told the undercover agent he had a total of

three firearms for sale- two .38 caliber handguns and one .22 caliber handgun for \$600.00. During the meeting at CLACK's residence, CLACK displayed the three handguns to the undercover agent. After a brief negotiation, CLACK sold two .38 caliber handguns to the undercover agent for \$400.00. During the meeting, CLACK provided the undercover agent with a shard of methamphetamine "ice" as a sample. CLACK then told the undercover agent that he could provide the undercover agent with large amounts of methamphetamine "ice" at little notice. Agents conducted a field test on the methamphetamine "ice" that CLACK provided the undercover agent. The methamphetamine "ice" yielded a positive result for methamphetamine. Agents had previously received information that CLACK was distributing methamphetamine "ice" in the area of Bay St. Louis, Mississippi.

3. In the months of February and March 2016, multiple phone and text message conversations occurred between CLACK and an undercover agent in reference to the attempted purchase of ounce quantities of methamphetamine "ice."
4. On April 19, 2016, agents conducted a buy/bust operation on CLACK near the intersection of Ladner and Faith Street in Waveland, Mississippi. Prior to the meeting, CLACK negotiated to sell an undercover agent and a confidential source two handguns for \$400.00. During a phone conversation, CLACK described one of the firearms as a 9mm semi-auto handgun and one as an antique sawed off shotgun. At approximately 9:30 p.m., CLACK arrived at the target intersection driving a 1996 Chevrolet Suburban. Once CLACK told the confidential source that he had the guns inside the vehicle, agents moved in to arrest CLACK. CLACK then led agents on a brief vehicle pursuit. Following his arrest, agents discovered a 9mm semi-auto handgun and a 16 gauge sawed-

off shotgun inside the vehicle CLACK was driving. A review of CLACK's criminal history revealed he was convicted of felony methamphetamine manufacture on October 11, 2011 in the Criminal Court of Shelby County, Tennessee.

Conclusion

5. Based upon my experience as a DEA Task Force Agent and the aforementioned facts and circumstances, it is my opinion that there is probable cause to believe Russell CLACK has violated Title 18, United States Code, Section 922(g)(1).



Benjamin M. Taylor
Task Force Agent
DEA/HIDTA Task Force

Sworn and subscribed before me this the 21 day of April, 2016.


UNITED STATES MAGISTRATE JUDGE